

State of California
California Regional Water Quality Control Board
Colorado River Basin Region

MINUTES OF BOARD MEETING

May 17, 2006
City Council Chambers
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Nancy Wright at 10:03 a.m. on March 23, 2006 in the City Council Chambers, City of La Quinta, California.

1. Board Member Roll Call

Present (10:17 a.m.): Leon Lesicka, Maurice Martinez, Ellen Way, and Nancy Wright. The Board Secretary stated there was not a quorum.

Accordingly, the Board proceeded with informational agenda Item Nos. 4 and 5, below; and Chair Wright introduced Executive Officer Robert Perdue, Assistant Executive Officer Jose Angel, and State Board Legal Counsel Tom Vandenburg, State Water Resources Control Board Chair Tam Dudoc joined the Meeting.

Present (11:00 a.m.): Jeffrey Hays, Leon Lesicka, Maurice Martinez, Ellen Way, and Nancy Wright. The Board Chair opened the Meeting and proceeded with consideration of agenda Item Nos. 6 through 11, below.

2. Staff Present

Jose Angel, John Carmona, Mary Castaneda, Liann Chavez, Abdi Haile, Cecilia Irwin, Robert Perdue, Jon Rokke, Charles Springer, Joan Stormo, Hilda Vasquez, and Doug Wylie.

3. Others Present

Lee Pearl, Hi-Desert Water District
Barry Bierschbach, Engineering Resources
Nicole Rothfleisch, Imperial County Farm Bureau
Tam Dudoc, State Water Resources Control Board, Chair
Tom Vandenberg, State Water Resources Control Board, OCC
Arlene Chun, Riverside County Flood Control

4. Public Forum

Septic Systems in the High Desert Area

Abdi Haile Regional Board Division Chief introduced Lee Pearl, General Manager of the High Desert Water District; and Barry Bierschbach, Consulting Engineer for Engineering Resources, who provided an overview of septic tank systems and related water quality problems in the High Desert area. Mr. Bierschbach mentioned that modular sewage package plants are suitable to handle the wastes from new development in the area.

Mr. Pearl mentioned that the whole City of Yucca Valley is on septic systems, and that he was concerned about the costs of installing a community sewage collection and treatment system for the City. He also expressed concerns about not having a public agency operate proposed sewage package plants, but that at this point the City was not willing to take over the plants. He felt that proper plant operation could be easily upset when, for example, someone dumps chlorine into the sewage collection system.

Jose Angel, AEO, remarked that the package plants have a proven track record of performance and that the main concern must be the on-going water quality impacts (e.g., nitrates) that existing septic systems have on groundwater, particularly in the City of Yucca Valley. Robert Perdue, EO, asked whether the City would qualify for financial assistance to fund its collection system. Jose Angel said that it does through Propositions 40 and 50 and the State Revolving Fund program (a low interest loan program).

Vice Chair Way asked what future plans are for the area. Mr. Pearl stated that the City has a plan that calls for building a community sewage collection and treatment system in phases. He added that the City has worked closely with Board staff and applied for State Board grants, but did not make the cut this year. He also said Regional Board staff has kept the City informed on policies to address and prevent water impacts in the area. He added that the City is working on significant development (over 2000 new houses) and that the developer will be assisting with some of the financing for the system. Chair Wright suggested the City should be forming an Assessment District(s) to help finance the system and to increase the chances of financial assistance from other public agencies.

Imperial County Farm Bureau TMDL Program

Nicole Rothfleisch, Imperial County Farm Bureau introduced herself and informed the Board regarding the Environmental Excellence award received by the Bureau from U.S. Environmental Protection Agency, Region 9, San Francisco. Ms. Rothfleisch updated the Board regarding the progress on construction of the TMDL Agricultural Drainage Water project and related issues.

5. Information Item on Supplemental Environmental Project

Doug Wylie gave a presentation on Supplemental Environmental Projects (SEPs). He reported that the Water Education Foundation (WEF) provided the Regional Board with a list of 11 regional proposals for consideration as SEPs. He stated that SEPs can be used in lieu of paying a portion of Administrative Civil Liability Complaints (ACLCs). Moneys collected through ACLCs or ACL Orders go to the State Water Board's Cleanup and Abatement Account (CAA). Mr. Wylie added that SEPs can be used for important and valuable water quality improvement projects within the Region rather than being sent to the state's CAA.

6. Minutes of March 23, 2006, Board Meeting

MOTION: Jeffrey Hays moved, Leon Lesicka seconded, and motion carried unanimously that the Minutes be approved as submitted.

7. Uncontested Waste Discharge Requirements

R7-2006-0035 Desert View Estates, Inc. (Owner) Joshua Basin Water District (Operator), Desert View Estates Wastewater Collection, Treatment, and Disposal System – Joshua Tree, San Bernardino County

R7-2006-0036 Penca Capital, Inc. Turtle Rock in 29, LLC, Turtle Rock Estates Wastewater Collection, Treatment, and Disposal Systems – City of Twentynine Palms, San Bernardino County.

R7-2006-0038 Sunwest Development, LLC, Sunwest Apartments Wastewater Collection, Treatment, and Disposal Systems – City of Twentynine Palms, San Bernardino County

MOTION: Jeffrey Hayes moved, Maurice Martinez seconded and motion carried unanimously that Board Orders No. R7-2006-0035, R7-2006-0036, and R7-2006-0038 including the errata for R7-2006-0036 be adopted.

8. Informational Item on Water Quality Protection through Permitting

Jose Angel provided the Board with an overview on Water Quality Control through Permitting in the Region. He discussed the various regulatory programs and permits the Board handles and water quality laws, regulations, and policies (e.g., Basin Plan). He covered the typical contents of Chapter 15, Non-Chapter 15, and NPDES Orders, and also outlined the work and procedures for drafting a permit for consideration for adoption by the Board.

9. Informational Update on Water Resources Control Board Activities

Tam Dudoc, State Board Chair, stated that building strong partnerships between State Board and Regional Boards is essential in addressing various problems. Chair Dudoc stated there needs to be a better understanding of the various challenges Regions face and find ways to be supportive and cooperative in approaching and

addressing various problems. She also addressed the development of creative solutions. Chair Doduc mentioned that staff needs to create more flexibility so limited resources can be directed to high priority work. She outlined emerging issues the State Board is facing, including staff retirement, technology-based limitations for stormwater discharges, upcoming new rules for septic systems, and use of reclaimed water.

10. Colorado River Basin Water Board Executive Officer's Report

Robert Perdue reported he attended the WQCC Meeting with Nancy Wright in Sacramento. He also mentioned that he is going to visit PG&E's Topock site with State Water Resources Control Board Chair Dudoc and Regional Water Quality Control Board Chair Wright on May 18, 2006.

11. Colorado River Basin Water Board Member Report

There were no comments.

12. Colorado River Basin Water Board Chair's Report

Chair Wright reported she went to WQCC meeting with the Executive Officer. She stated that State Board is working diligently to make the WQCC meetings more informative for the Regional Board. She reported that all of the CALEPA BDOs are working on improving communications, particularly on cross-media issues. She also reported that at the WQCC Robert Perdue gave a report on the Mesquite Landfill and how it relates to wastesheds in other Regions. She highly recommended attendance by every Board Member at WQCC meetings. She also reported on a Chair conference with State Board held on the first Monday of April.

Chair Wright presented a Recognition Award to Jonathan Rokke, Regional Board staff, for his Outstanding Dedication and Job Performance.

13. Colorado River Basin Water Board Member Comment

There were no comments.

14. Adjournment

Meeting adjourned at 11:47 a.m.